

Chicago, Ill., by the MacBean Manufacturing Co., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, on the carton "Antiseptic Bandage" and in a circular "Mar-Vo is Sterilized," since it was neither antiseptic nor sterile.

Misbranding was alleged in that the statements on the label, "Antiseptic Bandage," and in a circular, "Mar-Vo is sterilized and treated with an antiseptic in the process of sterilization," were false and misleading when applied to an article that was neither antiseptic nor sterile.

On April 20, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28981. Adulteration and misbranding of gauze bandage. U. S. v. 99 Packages of Gauze Bandage. Default decree of condemnation and destruction. (F. & D. No. 42029. Sample No. 13973-D.)**

This product was represented to be sterile but was contaminated with viable micro-organisms.

On March 23, 1938, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 99 packages of gauze bandage at Providence, R. I., alleging that the article, consigned on February 23, 1938, had been shipped in interstate commerce from Philadelphia, Pa., by Approved Distributors, Inc., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its purity fell below the professed standard or quality under which it was sold, namely, on the carton, "Sterilized After Packaging," since it was not sterile but was contaminated with viable micro-organisms.

It was alleged to be misbranded in that the statements on the package, "Approved Products \* \* \* Gauze Bandage Sterilized After Packaging," were false and misleading.

On April 26, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28982. Misbranding of Exanthum Oil. U. S. v. William H. Trentlage. Plea of nolo contendere. Fine, \$100. (F. & D. No. 40762. Sample No. 19918-C.)**

The label of this product bore false and fraudulent representations regarding its curative and therapeutic effects.

On February 23, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against William H. Trentlage, Elgin, Ill., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about June 7, 1937, from the State of Illinois into the State of Wisconsin of a quantity of Exanthum Oil which was misbranded. The article was labeled in part: "Exanthum Oil Prepared by William H. Trentlage \* \* \* Elgin, Ill."

Analysis showed that the article was a pale-yellow oily liquid containing fixed oils resembling olive oil and croton oil.

The article was alleged to be misbranded in that the statements appearing on the labels and in a circular enclosed with it falsely and fraudulently represented its curative and therapeutic effectiveness as a treatment for sinus trouble, quinsy, infected tonsils, appendicitis, toothache, rheumatism, lame back, pleurisy pains, stiff neck, sore chest from cold, sore throat, kidney trouble, rheumatism in its various forms, such as sciatica, muscular and inflammatory, neuralgia, pleurisy, lumbago, gout, pains in the chest caused by a cold, cramps in muscles, throat troubles such as infected tonsils, tonsillitis, quinsy, arthritis, and nervous headache, inflamed eyes, burning and aching eyes, pain in the side, cramps in the calves of the legs, asthma, knotted joints, sprains, and stiff joints and pain in the the head; to take the poison out of the system; to aid in the relief of such symptoms as pain, swelling, and immobility; to beneficially aid in the increase of blood in the affected area; to bring a greater amount of nourishment to the affected parts; to increase the leucocytic action; to destroy bacteria and to relieve toxicity; to relieve many of the distressing symptoms of atrophic, hy-

peritrophic, and infectious arthritis, arthritis deformans, oosteoarthritis, lumbago, sciatica, bursitis, myositis, acute articular rheumatism, myalgia and allied rheumatoid conditions; to aid in the relief of the painful, distressing symptoms of quinsy, sore throat, pleuritic pains, neuralgias, and chest pains caused by colds; and its effectiveness as a treatment for ailments of the spinal column.

On May 3, 1938, a plea of nolo contendere having been entered by the defendant, the court imposed a fine of \$100.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28983. Adulteration and misbranding of Goody's Headache Powder. U. S. v. Goody's Inc., and A. Thad Lewallen. Pleas of nolo contendere. Fines, \$100. (F. & D. No. 40779. Sample No. 44240-C.)**

This product was adulterated because of a deficiency of acetanilid, and was misbranded because it was falsely represented as being absolutely safe and reliable and as containing no narcotic drugs.

On February 24, 1938, the United States attorney for the Middle District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Goody's, Inc., and A. Thad Lewallen, an officer of the corporation, alleging shipment by said defendants in violation of the Food and Drugs Act on or about May 5, 1937, from the State of North Carolina into the State of South Carolina of a quantity of Goody's Headache Powder which was adulterated and misbranded. The article was labeled in part: "Prepared by Goody's Inc."

It was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since each of the powders was represented to contain 4 grains of acetanilid; whereas each of the powders contained less than the quantity represented, namely, not more than 3.13 grains of acetanilid.

The article was alleged to be misbranded in that the statements, "Goody's are absolutely safe and reliable and can be taken with complete assurance that they contain no \* \* \* narcotic drugs in any form," borne on the label, were false and misleading in that they represented that it was absolutely safe and reliable and contained no narcotic drugs in any form; whereas, it was not absolutely safe and reliable since it did contain narcotic drugs.

On May 4, 1938, pleas of nolo contendere were entered and the court imposed fines in the total amount of \$100.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28984. Misbranding of Rozel Douche Powder. U. S. v. 4 Dozen Cans of Rozel Douche Powder. Default decree of condemnation and destruction. (F. & D. No. 42378. Sample No. 21508-D.)**

The labeling of this product bore false and fraudulent representations regarding its curative or therapeutic effects and false and misleading representations regarding its germicidal properties.

On May 12, 1938, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of four dozen cans of Rozel Douche Powder at Detroit, Mich., alleging that the article had been shipped in interstate commerce on or about January 3, 1938, by Rozel Laboratories from Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the cans contained a powder consisting essentially of boric acid, sodium chloride, ammonia, alum, and small amounts of phenol and menthol; and a cone consisting essentially of sodium bicarbonate and tartaric acid with small amounts of phenol and menthol. Bacteriological examination of the cone showed that it did not possess germicidal properties.

The article was alleged to be misbranded in that the following statements in a circular contained in the package which referred to the said cone, were false and misleading when applied to an article that possessed no germicidal properties: "Germicide \* \* \* The germicidal power in Rozel Effervescent Cones is indisputable. \* \* \* the antiseptic used in Rozel Effervescent Cones \* \* \* its germ killing action. The minute Rozel Effervescent Cones come in contact with the fluids of the vagina they deposit their germ killing deodorant ingredients into the folds pockets and convolutions of the tissue. This offers a continuous cleansing and germ killing action over a period of several hours." Misbranding was alleged further in that the following statements borne on the can label and appearing in the said circular, regarding the curative or therapeutic effects of the article, were false and fraudulent: (Can